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Tel (44) (0) 1285 656 999
Tel & Fax (1) (207) 439 5932

Email: alanbharris@netzero.net

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International Competition Network

In our July issue, there was a passing reference to the International Competition Network. Since not everyone has yet heard of it, the following information may be helpful. It is first and foremost a competition authority forum supported by participating authorities themselves; and is the only international body devoted exclusively to competition law enforcement. Membership is voluntary and open to any national or multinational competition authority entrusted with the enforcement of antitrust laws. (At the time of writing, 63 national or multinational members are listed on the Network's website.) The ICN will not exercise any rule-making function. The initiative is project-oriented. Annual conferences and meetings will provide opportunities to discuss these projects and their implications for enforcement. Annual conferences will bring together leaders of antitrust agencies to commission new projects and review the progress and recommendations of current projects.

At the first annual conference, to be held in in Naples, Italy on September 28-29, 2002, and hosted by the Italian competition Authority, ICN participants will initiate discussions to define specific projects. The initial ICN projects are: (1) the merger control process in the multi-jurisdictional context and, (2) the advocacy role and activities of competition authorities where a particular effort will be made to focus on the concerns of countries with new competition law regimes. The ICN will generate recommendations on best practices and it will be left to the individual antitrust agencies to decide whether and how to implement the recommendations, through unilateral, bilateral or multilateral arrangements, as appropriate. The ICN will also cooperate closely and seek input from existing international organisations (e.g. OECD, WTO, UNCTAD), associations and practitioners of antitrust law and/or economics, industry and consumer associations and members of the academic community. Participation of such non-governmental advisors will undoubtedly enrich considerably the quality of ICN's discussions and work products.

The concept for ICN came directly out of the recommendations of the International Competition Policy Advisory Committee (ICPAC), a group formed in 1997 by then U.S. Attorney General Janet Reno and Assistant Attorney General for the Antitrust Division Joel Klein. At a competition conference in Brussels in September 2000, both Joel Klein and Mario Monti, European Commissioner for Competition expressed their support for such an initiative. Following these endorsements, the International Bar Association convened a meeting of more than 40 of the world's senior competition officials and practitioners at Ditchley Park, England in early February 2001 to discuss the feasibility of a global antitrust network. The formation of the INC followed soon after. We will watch its activities with interest and report in due course. ■